

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Labour Employment Training & Factories Department – Allegations against Dr K.Sudhakar Rao, Deputy Civil Surgeon and I/C Joint Director of Insurance Medical Services. (Retired) Warangal –Disciplinary action initiated - Punishment of 10% cut in pension permanently – Modified as 10% cut in pension for a period of 3 years – Orders – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (VIG) DEPARTMENT

G.O.Ms.No. 96

Dated:26.10.2010.
Read the following:-

- Ref:- I. From the Director IMS, Rc.No. 11257/E1E/2001, dt: 8-4-2003
2. From the Director IMS, Rc.No. 11257/Legal.B/, dt: 12-5-2003.
3. Govt. Memo.No.551/IMS.1/2003-2, dated:17.6.2003.
4. From the Director IMS, Charge Memo. No. 11257 / Legal.B/E1E/2001, dt.27.6.2003.
5. From Dr.K.Sudhakar Rao, Dy. C.S. (Retd.) repn.dt:7.7.2003.
6. From the Director IMS, Rc. No. 11257/2001, dt: 22-9-2003.
7. G.O. Rt. No. 2507 LET & F(Vig) Dept dt: 30-12-2003.
8. G.O. Rt. No. 277 LET & F (Vig) Dept dt: 27-1-2005.
9. From the Member COI, dt: 25-2-2006.
10. Govt. Memo. No. 608/Vig/2003-12 dt: 15-7-2006
11. Representation of Dr. K.Sudhakar Rao, Dy. CS (Retd),dt:10.8.2006
12. Govt.Memo.No.608/Vig./2003-14, dated:30.10.2006.
13. Representation of Dr. K.Sudhakar Rao, Dy.CS (Retd),dt 10.11.2006
14. Lr. No.556/RTJ1/ 2007 Dt. 1.5.2007 of APPSC Hyderabad
15. G.O.Ms. No. 48, L.E.T & F (Vig) Deptt., Dt. 26.05.2007.
16. Order of the APAT Dt. 22.4.2010 in OA. No. 5086/2007 filed by Dr. K. Sudhakar Rao, DCS & I/C Joint Director (Retd), IMS Warangal.
17. From the Secy, APPSC, Hyd Lr.No.1255/RT- 1/3/2010, dt:7.10.10

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ORDER

In the letter first read above, the Director, Insurance Medical Services, has brought to the notice of the Government that certain irregularities have been committed by Dr.K. Sudhakar Rao, Deputy, Civil Surgeon and I/c Joint Director, Insurance Medical Services, Warangal in recruiting certain class IV employees and other irregularities in recruitment procedures and requested to take disciplinary action against the individual in the matter.

2. In the memo 3rd read above, the Director, Insurance Medical Services was requested to frame charges and initiate action against Dr.K.Sudhakar Rao, Deputy Civil Surgeon and I/c Joint Director, Insurance Medical Services, Warangal as the Director, Insurance Medical Services is the competent authority.

3. In the letter 4th read above, the Director, Insurance Medical Services has served Articles of charges on the Charged Officer with a request to submit his explanation.

4. Dr.K.Sudhakar Rao, Deputy Civil Surgeon has submitted his explanation and denied the charges against him in the representation 5th read above.

5. In the letter 6th read above, the Director, Insurance Medical Services has requested the Government, to enquire into the charges framed against the Charged Officer as he has denied all the charges and it warrants for enquiry under CCA Rules.

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6. In the Government Order 7th read above, the case was entrusted to Commissioner of Inquiries for inquiry and report into the allegations against the Charged Officer. Consequent on transfer of Member, Commissioner of Inquiries the case was again entrusted to another Member, Commissioner of Inquiries for inquiry and report in the Government Order 8th read above.

7. The Member, Commissioner of Inquiries has submitted his report to Government in the letter 9th read above, holding (2) out of (4) charges as proved against the Charged Officer. In the memo 10th read above, a copy of the Commissioner of Inquiries report was served on Dr.K.Sudhakar Rao, Deputy Civil Surgeon (Retd) for his representation.

8. In the representation 11th read above, Dr. K.Sudhakar Rao, Deputy Civil Surgeon (Retd) has submitted his representation denying the charges leveled against him.

9. In the memo 12th read above, Government issued a show cause notice to Dr. K.Sudhakara Rao, Deputy Civil Surgeon (Retd) as to why a cut of 10% should not be imposed from his pension permanently, under rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

10. In the representation 13th read above, Dr. K.Sudhakara Rao, Deputy Civil Surgeon (Retd) has furnished his explanation and he has not brought any new facts or grounds for consideration.

11. In the letter 14th read above, the Andhra Pradesh Public Service Commission, Hyderabad concurred with the proposal of the Government. In the G.O 15th read above, a punishment of cut of 10% in pension permanently has been imposed on Dr. K Sudhakara Rao, Deputy Civil Surgeon & I/C Joint Director, Insurance Medical Services, Hyderabad (Retd) Warangal.

12. On the above, orders, Dr.K. Sudhakara Rao approached the Andhra Pradesh Administrative Tribunal by filing OA. No.5086/2007.

13. The Andhra Pradesh Administration Tribunal in the order 16th read above, dated 22.4.2010 while allowing the O.A has passed the following Order:

"Having regard to the facts and circumstances obtaining in this case and for the foregoing reasons, in the opinion of this Tribunal, the punishment of 10% cut in pension permanently appears to be on higher side in as much as the charges against the applicant were not involving any pecuniary loss to the State Exchequer.

In view of the above, the impugned GO.Ms.No.48 Labour Employment and Training and Factories (VIG) Department dt. 26.5.2007 is set aside. The matter is remitted back to the 1st respondent to make appropriate orders by taking into account, the observations made by this Tribunal."

14. Government after further examination of the entire issue have proposed to reduce the punishment imposed of 10% cut in pension permanently on Dr. K. Sudhakara Rao, Deputy Civil Surgeon & I/C of Joint Director, Insurance Medical Services, (Retd), Warangal to that of 10% cut in pension for 3 years.

15. The Andhra Pradesh Public Service Commission, Hyderabad in the letter 17th read above, concurred with the proposal of the Government for reduction of punishment imposed on Dr. K. Sudhakar Rao, Deputy Civil Surgeon and I/c Joint Director, Insurance Medical Services (Retd), Warangalo of 10% cut in pension permanently to that 10% cut in pension for 3 years.

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16. Accordingly, the Government in modification of the orders issued in the Government Order 15th read above, hereby impose a punishment of 10% cut in pension for 3 (three) years on Dr. K. Sudhakar Rao, Deputy Civil Surgeon and I/c Joint Director, Insurance Medical Services (Retd), Warangal under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

17. The Director, Insurance Medical Services, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH

D.SREENIVASULU
SECRETARY TO GOVERNMENT

To

The K. Sudhakar Rao, Deputy Civil Surgeon
I/c Joint Director of Insurance Medical Services (Retd)
through Director, Insurance Medical Services, Hyderabad.
The Director, Insurance Medical Services, Hyderabad.

Copy to:

The Secretary, Andhra Pradesh Vigilance Commission, Secretariat.
The Secretary, Andhra Pradesh Public Service Commission, A.P. Hyderabad. .
The Accountant General, Andhra Pradesh, Hyderabad.
P.A. to Deputy Secretary , LET&F Deptt.,
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER